

REMARKS

Claims 1-16 and 25-32 are pending in this application. Claims 1-16 and 25-32 stand rejected. By this Amendment, all of the pending claims have been amended. The amendments made to the claims do not alter the scope of these claims, nor have these amendments been made to define over the prior art. Rather, the amendments to the claims have been made to improve the form thereof. In light of the amendments and remarks set forth below, Applicants respectfully submit that each of the pending claims is in immediate condition for allowance.

Applicants submit herewith amended Figures 1 and 2. The Figures have been revised to show that they represent the conventional speech and music signal coder. No new matter has been added.

Claims 1-7, 9-15, and 25-31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,778,335 (“Ubale”) in view of U.S. Patent No. 6,345,246 (“Moriya”). Applicants respectfully request reconsideration and withdrawal of this rejection.

To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or combine references to arrive at the claimed subject matter. The prior art references must also teach or suggest all the limitations of the claim in question. See, M.P.E.P. § 706.02(j). A reference can only be used for what it clearly discloses or suggests. See, In re Hummer, 113 U.S.P.Q. 66 (C.C.P.A. 1957); In re Stencel, 4 U.S.P.Q.2d

1071, 1073 (Fed. Cir. 1987). Here, the references, whether taken individually or in combination, do not disclose or suggest the invention claimed by the Applicants.

Among the limitations of independent claim 1 not present in the cited references is a residual signal generating means for generating a residual signal by driving a linear prediction inverse filter in response to a differential signal indicative of a difference between the input signal and the first reproduced signal. The cited references, whether taken alone or in combination, fail to disclose the above-recited limitation.

The Office Action acknowledges that Ubale does not disclose the residual signal generating means quoted above. See Office Action at 1. In order to cure this deficiency, the Office Action includes Moriya. However, Moriya fails to cure this deficiency.

Moriya's inverse filter 16 does not have as its input a differential signal indicative of a difference between the input signal and the first reproduction signal as explicitly recited in Applicants' claim. The input to inverse filter 16 is an interleaved signal containing the left and right channels and the output of quantization unit 13b.

In contrast, the inverse filter explicitly recited in Applicants' claim, and shown in Figure 3, has as its input the difference between the input 10 and the output of linear prediction synthesis filter 130. As such, Moriya fails to disclose the deficiency noted by the Examiner in Ubale. Applicants respectfully request that the rejection to claim 1 be withdrawn.

The remaining independent claims each include a limitation directed to the linear prediction inverse filter similar to that in claim 1. For example, claim 2 explicitly recites generating a residual signal by driving a linear prediction inverse filter in response to a differential signal. Claim 3 recites generating a residual signal by driving a linear prediction inverse filter in response to a differential signal indicative of a difference between a signal produced by adding the first through the N-1 reproduction signal and the input signal. Claim 4 recites generating a residual signal by driving a linear prediction inverse filter in response to the differential signal. Likewise, claims 5, 6, and 8 recite the differential input to the inverse filter. As such, Applicants respectfully submit that claims 2, 3, 5, 6, and 8 are allowable for the same reasons as claim 1.

Among the limitations of independent claim 9 not present in the cited references is speech and music decoded signal generating means for generating speech and music decoded signal by adding the first reproduction signal and the second reproduction signal. The Office Action asserts that this limitation as shown by elements 24 and 28 of Figure 1. However, element 24 is a multiband bank of codebooks and element 28 is a coupling network. However, neither of these elements is an adder, such as 182 (Fig. 18), explicitly recited in Applicants' claim and no component of Ubale performs this function. This is because, in the cited reference, element 30, which corresponds each of second and first reproduction signal generating means according to the Examiner, is connected to an output of the element 28. On the other hand, according to this invention, second and first reproduction signals outputted by the second and the first reproduction signal

generating means are added in the speech and music decoded signal generating means (corresponding to the adder 182).

Likewise, claims 11-14 and 16 recite similar limitations to those in claim 9 discussed above. As such, Applicants respectfully assert that these claims are allowable over the cited references.

Claims 25-28, 30, and 32 contain a limitation directed to driving a linear prediction inverse filter with a differential signal similar to that in claim 1. As such, these claims are allowable for the same reasons as claim 1. Likewise, claim 29 is allowable for the same reasons as claim 9 discussed above.

Claims 8, 16, and 32 stand rejected over Ubale in view of Moriya and further in view of U.S. Patent No. 5,819,212 ("Matsumoto"). Matsumoto was not included to discuss the deficiencies in Moriya and Ubale discussed above but to show additional limitations which, even if it were to show, do not cure the deficiencies discussed above. As such, claims 8, 16, and 32 are allowable over the cited references.

Applicants have responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the

Application No.: 09/719,826

Docket No.: G0126.0193/P193

Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated: July 21, 2004

Respectfully submitted,

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